

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
SEP 08 2010  
*[Signature]*  
CLERK

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UNITED STATES OF AMERICA,

CR 10-40100

Plaintiff,

INDICTMENT

vs.

Failure to Appear

THOMAS R. KELLEY,

18 U.S.C. §§ 3146(a)(1),  
3146(b)(1)(A)(i), and 3146(b)(2)

Defendant.

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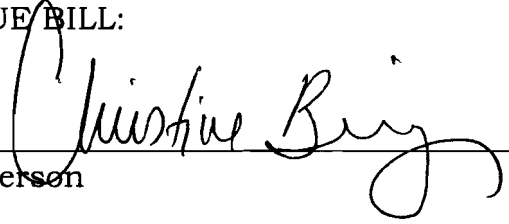
The Grand Jury charges:

On or about August 23, 2010, in the District of South Dakota, Thomas R. Kelley, having been charged with violating 18 U.S.C. § 287, a felony offense punishable by a maximum term of imprisonment of 5 years; 26 U.S.C. § 7212(a), a felony offense punishable by a maximum term of imprisonment of 3 years; 26 U.S.C. § 7201 (two counts), a felony offense punishable by a maximum term of imprisonment of 5 years; 26 U.S.C. § 7203 (three counts), a misdemeanor offense punishable by a maximum term of imprisonment of 1 year; and 18 U.S.C. §§ 514 and 2 (16 counts), a felony offense punishable by a maximum term of imprisonment of 25 years, and having been released pursuant to Chapter 207 of Title 18, United States Code, in connection with the aforementioned criminal charges, for appearance before the Honorable Lawrence L. Piersol, United States District Court Judge, at Sioux Falls, South Dakota on August 23, 2010, for

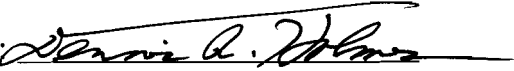
sentencing in case number CR08-40173, entitled United States v. Thomas R. Kelley, did knowingly and willfully fail to appear as required, in violation of 18 U.S.C. §§ 3146(a)(1), 3146(b)(1)(A)(i), and 3146(b)(2).

A TRUE BILL:

Foreperson

A handwritten signature in black ink, appearing to read "Christine Brey", written over a horizontal line.

BRENDAN V. JOHNSON  
United States Attorney

By: A handwritten signature in black ink, appearing to read "Brendan V. Johnson", written over a horizontal line.